

Bard's Corrected and Revised Objections and Counter-Designations to AngioDynamics' 9/13/2022 Affirmative Designations					
Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	9:13 -9:14	incomplete designation (should begin at line 12)		
O'Connell, James	October 29, 2019	12:5 -12:23			
O'Connell, James	October 29, 2019	13:3 -13:15			
O'Connell, James	October 29, 2019	13:20 -13:24			
O'Connell, James	October 29, 2019	14:15 -15:5			
O'Connell, James	October 29, 2019	17:2 -18:4			
O'Connell, James	October 29, 2019	79:16 -79:18	P-063 801/802 - Hearsay (e.g., email attachments)		Overruled
O'Connell, James	October 29, 2019	79:24 -79:25	P-063 801/802 - Hearsay (e.g., email attachments)		Overruled
O'Connell, James	October 29, 2019	81:6 -82:9	P-063 801/802 - Hearsay (e.g., email attachments)		Overruled
O'Connell, James	October 29, 2019	83:5 -83:16	P-063 801/802 - Hearsay (e.g., email attachments)		Sustained (hearsay)
O'Connell, James	October 29, 2019	85:5 -86:2	P-063 801/802 - Hearsay (e.g., email attachments)		Sustained (hearsay)
O'Connell, James	October 29, 2019	103:22 -108:13			
O'Connell, James	October 29, 2019	109:13 -110:8			
O'Connell, James	October 29, 2019	111:3 -111:7	irrelevant, 403 prejudice	111:8-21	Overruled
O'Connell, James	October 29, 2019	112:6 -113:3	irrelevant, 403 prejudice		Overruled
O'Connell, James	October 29, 2019	113:11 -113:25			
O'Connell, James	October 29, 2019	114:2 -114:12			
O'Connell, James	October 29, 2019	115:5 -115:16			
O'Connell, James	October 29, 2019	116:1 -117:22		452:15-24, 453:2, 453:5-9, 453:11-23, 453:25, 454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	

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O'Connell, James	October 29, 2019	118:1 -119:14		119:15-121:7, 452:15-24, 453:2, 453:5-9, 453:11-23, 453:25, 454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	
O'Connell, James	October 29, 2019	123:6 -124:15			
O'Connell, James	October 29, 2019	129:7 -129:25	vague, speculation		Sustained
O'Connell, James	October 29, 2019	130:24 -133:22	speculation	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled
O'Connell, James	October 29, 2019	133:24 -134:5	speculation, argumentative		Overruled
O'Connell, James	October 29, 2019	134:10 -134:16			
O'Connell, James	October 29, 2019	136:10 -136:18	P-051 - 403 (prejudice), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	136:22 -137:9	P-051 - 403 (prejudice), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	137:15 -137:24	P-051 - 403 (prejudice), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	138:1 -138:20	P-051 - 403 (prejudice), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	139:3 -139:21	P-051 - 403 (prejudice), duplicative/cumulative (introduced in Blaber designations)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Sustained

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O'Connell, James	October 29, 2019	158:13 -158:15	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)		Overruled (designations do not quote or discuss any hearsay in P-51)
O'Connell, James	October 29, 2019	158:25 -160:1	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	162:1 -162:8	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	163:1 -166:21	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)	162:22-25	Overruled
O'Connell, James	October 29, 2019	167:8 -167:15	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	168:3 -169:14	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled
O'Connell, James	October 29, 2019	169:17 -170:5	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	173:4 -173:19	P-058 801/802 - Hearsay (page 2, email from Sears), duplicative/cumulative (introduced in Blaber designations)	173:20-174:12	Overruled
O'Connell, James	October 29, 2019	188:25 -189:25		188:12-15, 190:14-20, 191:6-10, 191:12-23	

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O'Connell, James	October 29, 2019	192:20-193:17		454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	
O'Connell, James	October 29, 2019	194:5 -194:21	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained (cumulative)
O'Connell, James	October 29, 2019	198:7 -198:17	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	198:25 -199:4	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	199:24 -200:1	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	200:4 -200:6	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	200:24 -201:3	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	203:6 -203:19	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)	202:22-203:5	Sustained

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O'Connell, James	October 29, 2019	203:22 -204:5	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Sustained as to 203:22-203:24
O'Connell, James	October 29, 2019	204:12 -204:14	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)	204:22-205:15	Overruled; remove attorney objection
O'Connell, James	October 29, 2019	205:16 -205:19	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	205:22 -206:22	P-116 - 801/802 - Hearsay (e.g., page 1: "The AngioDynamics rep . . ."), duplicative/cumulative (introduced in Blaber designations)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled
O'Connell, James	October 29, 2019	207:4 -207:6	P-121 - 801/802 - Hearsay (e.g., page 1: "Multiple reports this month . . ."); 403 - More Prejudicial than Probative (e.g., page 1: "shit")		Overruled
O'Connell, James	October 29, 2019	207:15 -208:16	P-121 - 801/802 - Hearsay (e.g., page 1: "Multiple reports this month . . ."); 403 - More Prejudicial than Probative (e.g., page 1: "shit")		Sustained as to 208:9-16 (hearsay)
O'Connell, James	October 29, 2019	208:24 -209:15	P-121 - 801/802 - Hearsay (e.g., page 1: "Multiple reports this month . . ."); 403 - More Prejudicial than Probative (e.g., page 1: "shit")		Sustained
O'Connell, James	October 29, 2019	210:21 -212:14	P-121 - 801/802 - Hearsay (e.g., page 1: "Multiple reports this month . . ."); 403 - More Prejudicial than Probative (e.g., page 1: "shit")	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled

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O'Connell, James	October 29, 2019	212:18 -213:25	P-121 - 801/802 - Hearsay (e.g., page 1: "Multiple reports this month . . ."); 403 - More Prejudicial than Probative (e.g., page 1: "shit"); incomplete designation (question with no answer)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Sustained as to incomplete designation subject to cure
O'Connell, James	October 29, 2019	221:8 -221:20	P-270 - 403 - Confusing/Misleading; 801/802 - Hearsay (recounting statements made by M. Kertesz)		Overruled
O'Connell, James	October 29, 2019	225:11 -226:3	P-270 - 403 - Confusing/Misleading; 801/802 - Hearsay (recounting statements made by M. Kertesz)	226:5-228:25	Overruled
O'Connell, James	October 29, 2019	229:1 -229:18	P-270 - 403 - Confusing/Misleading; 801/802 - Hearsay (recounting statements made by M. Kertesz)		Overruled
O'Connell, James	October 29, 2019	229:24 -230:11	P-270 - 403 - Confusing/Misleading; 801/802 - Hearsay (recounting statements made by Kertesz)		Overruled
O'Connell, James	October 29, 2019	259:4 -261:4			
O'Connell, James	October 29, 2019	262:1 -263:7	P-074 - 801/802 - Hearsay (e.g., page one: "Maria said they used . . .")		Overruled
O'Connell, James	October 29, 2019	264:8 -264:23	P-074 - 801/802 - Hearsay (e.g., page one: "Maria said they used . . .")		Overruled
O'Connell, James	October 29, 2019	265:5-265:6			
O'Connell, James	October 29, 2019	265:12 -265:24			
O'Connell, James	October 29, 2019	267:16 -269:17			
O'Connell, James	October 29, 2019	271:7-20	P-196 403/Cumulative (Cleveland Clinic trial is undisputed; this document adds no additional facts)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled
O'Connell, James	October 29, 2019	273:19-275:20	P-196 403/Cumulative (Cleveland Clinic trial is undisputed; this document adds no additional facts)	275:21-25, 277:2-11, 454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled

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O'Connell, James	October 29, 2019	276:11-19	P-196 403/Cumulative (Cleveland Clinic trial is undisputed; this document adds no additional facts)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled
O'Connell, James	October 29, 2019	277:25-280:23	Document not on Angio's exhibit list, 403 (cumulative)		Overruled (appears on exhibit list as P-521)
O'Connell, James	October 29, 2019	281:1-2	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	281:4-11	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	281:14-19	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	281:21-281:25	Document not on Angio's exhibit list, 403 (cumulative)		Overruled (remove line 25)
O'Connell, James	October 29, 2019	282:4 -282:19	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	282:21-23	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	282:25-283:22	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	284:18-25	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	285:3-4	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	286:7-21	Document not on Angio's exhibit list, 403 (cumulative)		Overruled
O'Connell, James	October 29, 2019	287:5-288:23			
O'Connell, James	October 29, 2019	289:1-6			
O'Connell, James	October 29, 2019	289:13-290:6			
O'Connell, James	October 29, 2019	290:10-12			

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O'Connell, James	October 29, 2019	290:14-18			
O'Connell, James	October 29, 2019	291:3-18			
O'Connell, James	October 29, 2019	292:23-294:6	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained (duplicative/cumulative of Blaber designations)
O'Connell, James	October 29, 2019	294:23-295:4	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	295:15-296:1	incomplete designation (question without a designated answer), P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	296:13-22	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	296:24:00	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained



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O'Connell, James	October 29, 2019	297:1-12	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	297:14-16	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	299:8-17	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	300:9-17	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	301:4-303:13	P-053 801/802 - Hearsay (e.g., page 3, "A little concerned. I did contact Supply Chain at Cleveland Clinic. They are using..."), duplicative/cumulative (introduced in Blaber designations)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Overruled
O'Connell, James	October 29, 2019	310:23-311:18			
O'Connell, James	October 29, 2019	337:3-338:4			
O'Connell, James	October 29, 2019	338:16-20			
O'Connell, James	October 29, 2019	339:6-24			
O'Connell, James	October 29, 2019	341:9-20			
O'Connell, James	October 29, 2019	341:22-23			
O'Connell, James	October 29, 2019	342:8-17			
O'Connell, James	October 29, 2019	343:9-19			

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O'Connell, James	October 29, 2019	345:20-23			
O'Connell, James	October 29, 2019	347:6-8	403 (cumulative), asked and answered		Overruled
O'Connell, James	October 29, 2019	347:10-16	403 (cumulative), asked and answered		Overruled
O'Connell, James	October 29, 2019	354:18-355:7	P-031 - 401/402 - Relevance; 801/802 - Hearsay (e.g., page 2, "She specifically told us her 'go live'..."; page 2, "Maria told us she's full steam ahead..."), duplicative/cumulative (introduced in Blaber designations)		Sustained (duplicative/cumulative of Blaber designations)
O'Connell, James	October 29, 2019	355:24-356:8	P-031 - 401/402 - Relevance; 801/802 - Hearsay (e.g., page 2, "She specifically told us her 'go live'..."; page 2, "Maria told us she's full steam ahead..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	356:14-356:19	P-031 - 401/402 - Relevance; 801/802 - Hearsay (e.g., page 2, "She specifically told us her 'go live'..."; page 2, "Maria told us she's full steam ahead..."), duplicative/cumulative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	356:21-357:9	P-031 - 401/402 - Relevance; 801/802 - Hearsay (e.g., page 2, "She specifically told us her 'go live'..."; page 2, "Maria told us she's full steam ahead..."), duplicative/cumulative (introduced in Blaber designations)	454:2-6, 454:8-18, 454:22-455:10, 455:13-456:4, 456:6-457:2, 457:4-458:11, 458:13-459:2, 459:4-460:7, 460:9-11	Sustained
O'Connell, James	October 29, 2019	358:23-25	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Overruled

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O'Connell, James	October 29, 2019	359:13-14	argumentative, P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Sustained (incomplete)
O'Connell, James	October 29, 2019	360:3-8	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	360:24-363:2	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	Overruled
O'Connell, James	October 29, 2019	363:04:00	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Overruled
O'Connell, James	October 29, 2019	366:25-367:5	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	367:17-23	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	367:25-368:12	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Sustained
O'Connell, James	October 29, 2019	369:14-370:2	P-113 801/802 - Hearsay (e.g., page 1: "she said that she is aware . . ."), cumulative/duplicative (introduced in Blaber designations)		Sustained

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O'Connell, James	October 29, 2019	373:11-374:4	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained

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O'Connell, James	October 29, 2019	376:14-16	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained (hearsay)

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	376:24-25	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	377:8-10	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	377:12-13	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained



Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	377:15-378:3	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained


Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	380:15-23	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	380:25-380:25	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	381:2-13	P-360 401/402 - Relevance; 801/802 - Hearsay (e.g., Page 2 ("Kevin met with Deb Jordan (PICC director) and her boss Kim. The PICC team is being forced to evaluate BioFlo for three months. They will drop a Bard kit and a basic BioFlo kit pulling the Sherlock wire and inserting into the BioFlo PICC. The drivers of this evaluation are attempting to get KU to zero DVT's and are most concerned with the Hematology/Oncology patients. ... KU currently has an unbelievably low DVT rate."); Page 3 ("Kevin, Yvonne and I met with James Hull this month to discuss the upcoming RFP on PICC's. ... He claims the majority of MSS spend is with BioFlo and members currently not using it are interested."))		Sustained
O'Connell, James	October 29, 2019	384:23-385:20	P-260 401/402 - Relevance; 403 - More Prejudicial than Probative		Sustained
O'Connell, James	October 29, 2019	385:24-386:5	P-260 401/402 - Relevance; 403 - More Prejudicial than Probative		Sustained
O'Connell, James	October 29, 2019	387:15-388:2	Document not on Angio's exhibit list; irrelevant, hearsay		Sustained
O'Connell, James	October 29, 2019	388:9-11			
O'Connell, James	October 29, 2019	407:4-20	vague, assumes facts not in evidence, speculation	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	Overruled
O'Connell, James	October 29, 2019	407:22-408:25	vauge, assumes facts not in evidence, speculation, misstates prior testimony	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	Overruled
O'Connell, James	October 29, 2019	409:14-410:13	P-061 - cumulative/duplicative (introduced in Blaber designations)	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	
O'Connell, James	October 29, 2019	411:7-14	P-061 - cumulative/duplicative (introduced in Blaber designations)	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	Overruled

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
O'Connell, James	October 29, 2019	411:19-23	P-061 - cumulative/duplicative (introduced in Blaber designations)	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	Overruled
O'Connell, James	October 29, 2019	413:5-413:19	P-061 - cumulative/duplicative (introduced in Blaber designations)	452:15-24, 453:2, 453:5-9, 453:11-23, 453:25	Overruled
O'Connell, James	October 29, 2019	443:2-443:6			
O'Connell, James	October 29, 2019	443:10-444:6			
O'Connell, James	October 29, 2019	444:18-445:21			
O'Connell, James	October 29, 2019	445:25-447:15		460:13-461:7	

September 22, 2022

  
Brenda K. Sannes  
Chief U.S. District Judge